

## **PROJECT DEVIATIONS**

The Project Data Plan submitted by the applicant indicates that the following deviations are requested.

1. The Uptown Community Plan recommends a 15' setback along Juniper Street. The intent of this recommendation is to create a visual entranceway into Balboa Park.
  - The proposed apartment building parking garage, southern exit stair and podium encroach 8-feet into the setback.
  - The proposed apartment building's stair linking the courtyard to Juniper Street encroaches 13-feet into the setback.
  - The proposed row houses are built out to the property line at Juniper Street providing no setback.
  - A 30' high mature Podocarpus tree is located at the corner of Juniper Street and Front Avenue, and blocks views within the proposed view corridor. It is the intent of the developer to retain this tree for the benefit of the project.

In an effort to provide high-density, low-rise housing on the site, the apartment building design utilizes a portion of the side yard setback intended for the 15' view corridor along Juniper Street. The portion of the apartment building that would project into the standard 6-foot sideyard setback would consist of the stairway linking the courtyard at the podium level to the street.

The proposed design provides a 34' wide landscaped courtyard at the podium level that opens onto Juniper Street. The courtyard is connected to the street with a 5-foot wide open trellised and landscaped stairway similar to the Klauber house across the street. The transition between the courtyard and the street is enhanced with a landscaped trellis. Additional landscaping will be provided along Juniper Street where the apartment building steps back from the property line an additional 8-feet at the parking garage level.

According to the applicant, maintaining a 15' setback at the row houses would eliminate one of the six row houses and result in a negative impact on the viability of the project.

2. The Rear Setback requirement for the site is 15' (LDC Section 103.1505(C)(6)).

- The proposed northwest end of the parking garage level of the apartment building encroaches 8' into the rear setback.
- The balconies at the northwest end of the apartment building encroach 5' into the rear setback at the second, third and fourth floors.

In order to provide tenants with the maximum parking available on the site, the parking garage encroaches 8' into the rear yard setback. The parking garage will be screened with a wall and landscaping to reduce the visual impact.

Balconies at the northwest end of the apartment building would encroach 5' into the rear setback. The balconies are intended to maximize exterior space and to reduce the mass of the rear wall of the building providing a more human scale. The lowest balconies are 25' above grade.

3. The Front Setback requirement for the site is 10' (LDC Section 103.1505(C)(6)).

- The proposed apartment building encroaches 5' into the setback with a first floor terrace and 10' into the setback with the exterior entry stoops.
- Balconies at the second, third and fourth floors of the apartment building project 5' into the 10' setback.

The entry stoops and first floor terraces provide a means of integrating the apartment building with the street and its residential character. In addition, the balconies break up the mass of the building providing a more human scale.

4. The Interior Side Setback requirements for the site are the following:

Floors 1 and 2	6'
Floor 3	9'
Floor 4	12'

- The exterior stair at the north end of the apartment building and the parking garage are built to the property line. The apartment building observes the required setback.
- The north end of the row houses encroached 3' at the third floor.

The Uptown Community Planning Group has expressed concerns regarding project impacts to existing on-street parking in the neighborhood. In an effort to address these concerns, the parking garage has been extended to the northern property line to provide the maximum amount of off-street parking possible. The extension of the parking garage resulted in the exit stair also having to encroach to the north property line.

5. Required Off-Street Parking (per Table 142-05C) is 96 spaces.

- A total of 89 off-street parking spaces are being provided, 12 spaces for the row homes and 77 for the apartment building. The apartment building has seven (7) spaces less than the required.

The Land Development Code requires a minimum of 96 off-street parking spaces be provided for the development. The proposed project includes a total of 89 off-street parking spaces, a deficit of seven spaces. A deviation is being requested to allow this reduction based on the need for design flexibility to provide for a higher density, multi-family residential development.

Off-Street Parking - The 89 off-street parking spaces provided on-site includes 77 for the apartments and 12 for the row houses. Apartment parking spaces include 44 in tandem and 33 in standard configuration. A 24-foot wide drive aisle sited on an easterly portion of the Juniper Street frontage would provide controlled access to the 44 tandem spaces and 19 of the 33 standard spaces, within a below grade garage. A second 24-foot wide drive aisle sited on a westerly portion of the Juniper Street frontage would provide access to the remaining 14 standard configured carport spaces to accommodate the apartments, and 12 standard spaces within six garages (two spaces each) to accommodate the six row houses.

The Applicant offers the following proposal in support of the requested deviation for providing fewer off-street parking spaces than required. Development of the site with a quality, high-density, economically viable product in an effort to accommodate market conditions, requires flexibility in the application of development regulations, and in this instance results in modifications to the on-street parking configuration. Although the development will result in a net loss of four, metered parking spaces, and two non-metered parking spaces (for a total of six), the impact is limited primarily to the Juniper Street frontage. Due to the project design, access to off-street parking is provided from Juniper Street which requires two, 24-foot wide drive aisles. This design component requires modification of the on-street parking configuration along Juniper Street, which accounts for the majority of the loss. The project design provides for the closing of an existing curb cut along Front Street which results in an increase in on-street

parking along this frontage. Modifications to on-street parking adjacent to the site along First Avenue are required in order to provide roof-top fire access to the apartments.

6. Required Street Yard for the project is 12,040 square-feet (LDC Table 103.1505(C)(5).

- The street yard provided is 7,935 square-feet - 4,105 square-feet less than required.

According to the applicant, the project needs to utilize a portion of the required street yard in order to provide high-density, low-rise housing with first floor terraces and entry stoops linking the apartment building and row houses to the street, thereby enhancing the street environment.

7. Maximum Floor Area Ratio (FAR) for the easterly portion of the site zoned NP-1 is 2.30. The maximum floor area ratio for the westerly portion of the site zoned MR-1000(B) is 1.20.

- The proposed FAR for the easterly portion of the site is 2.40 which exceeds the maximum by 4%. The proposed FAR for the westerly portion of the site is 1.04 which is within the maximum allowable FAR.

A minimum FAR deviation for the easterly portion of the site would allow the project to provide high-density, low-rise urban infill housing in an effort to provide additional housing where there is a need.

8. Maximum Diagonal Plan Dimension - The maximum diagonal plan dimension for the apartment building is 175' (70% of the First Avenue frontage. For the row houses the maximum diagonal plan dimension is 139' (85% of the street frontage (LDC Table 103.1505(D).

- Diagonal dimension of the apartments is 247' or 72' (41%) greater than allowed.
- Diagonal dimension of the row houses is 150' or 11' (8%) greater than allowed.

In order to provide high-density, low-rise housing with pedestrian scaled interior courtyards that proposed to enhance the quality of interaction between tenants and the exterior landscape, the project has deviated from the maximum diagonal plan dimension allowed. Using a maximum diagonal plan dimension of 175' would result in a solid building with no courtyards and would eliminate 14 apartments.

9. Minimum Transparency - The minimum required transparency is 15% (LDC Table 103.1511(E)(3).

- Parking level of the apartment building has no transparency at the street level.

In lieu of transparency at the parking garage, the project promotes neighborhood safety with entry stoops and patios along First Avenue, and an entry stair and open courtyard with terrace overlook at Juniper Street. In addition, the project will provide enhanced pedestrian lighting to promote safety.

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